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8 UNITED STATES DISTRICT COURT
9 WESTERN DISTRICT OF WASHINGTON
AT TACOMA

10 ANGEL FERNANDEZ,

11 Petitioner,

12 v.

13 RONALD FRAKER,

14 Respondent.

CASE NO. C12-5426 RBL-JRC

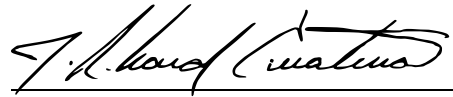
ORDER DIRECTING SERVICE
AND RETURN, §2254 PETITION

15 (1) The clerk shall arrange for service by certified mail upon respondent and the
16 Attorney General for the State of Washington, copies of the petition, all documents in support
17 thereof. All costs of service shall be advanced by the United States. The Clerk shall assemble
18 the necessary documents to effect service.

19 (2) Within forty-five (45) days after such service, respondent(s) shall file and serve
20 an answer in accordance with Rule 5 of the Rules Governing § 2254 Cases in United States
21 District Courts. As part of such answer, respondent(s) should state whether petitioner has
22 exhausted available state remedies, whether an evidentiary hearing is necessary, and whether
23 there is any issue of abuse or delay under Rule 9. Respondent(s) shall file the answer with the
24 Clerk of the Court and serve a copy of the answer upon petitioner.

1 (3) The answer will be treated in accordance with Local Rule CR 7. Accordingly,
2 upon receipt of the answer the Clerk will note the matter for consideration on the fourth Friday
3 after the answer is filed, petitioner may file and serve a response not later than on the Monday
4 immediately preceding the Friday appointed for consideration of the matter, and respondent may
5 file and serve a reply brief not later than on the Thursday immediately preceding the Friday
6 designated for consideration of the matter.

7 DATED this 15th day of May, 2012.

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10 J. Richard Creatura
11 United States Magistrate Judge
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